

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS RAY CROSSGUNS,

Defendant.

CR-11-106-GF-BMM

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS**

The Court referred this case to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on May 7, 2014. Doc. 37.

The United States charged Thomas Ray Crossguns (Crossguns) with violating his supervised release conditions by consuming methamphetamine and Suboxone. Crossguns admitted to the violation. Judge Strong found the admission sufficient to establish the supervised release violation. Judge Strong recommended that this Court revoke Crossguns's supervised release and commit him to the

custody of the United states Bureau of Prisons for a term of imprisonment of six (6) months with thirty (30) months supervised release to follow.

Neither party objected to Judge Strong's findings and recommendations. Therefore, this Court reviews Judge Strong's findings and recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach, Inc.*, 655 F.2d 1309, 1319 (9th Cir. 1981).

Though neither party objects to Judge Strong's findings and recommendations, the Defendant responds that the findings and recommendations provide two different periods of custody. Doc. 40. The "Conclusion" section of the findings and recommendations states that the defendant shall be placed in custody for "ten months." *Id.* at 6. Conversely, the "Synopsis" portion recommends that the defendant shall be placed in custody for "six months." Doc. 37 at 1. The proposed judgment also states that the defendant shall be committed for a total term of "six months." Doc. 37-1 at 3. Therefore, Crossguns shall be placed in custody for six months as stated in the judgment.

This Court finds no other clear error in Judge Strong's findings and recommendations, Doc. 37, and adopts the remainder of the findings and recommendations in full.

IT IS HEREBY ORDERED that Judge Strong's Findings and Recommendations, Doc. 37, are **ADOPTED**. Judgment shall be entered accordingly.

DATED this 22nd day of May, 2014.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath it.

Brian Morris
United States District Court Judge